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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 10, 2017

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ROBERT ZIMMERLE,

Plaintiff,

v.

SARA CANDELLA,
HEARING OFFICER FRED M. and
MARCOS CARMONA,

Defendants.

No. 4:16-CV-05121-SMJ

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Before the Court is Magistrate Judge Rodgers's December 21, 2016 Report and Recommendation, ECF No. 10, recommending that this action be dismissed for defendant's failure to comply with the court's order either to file a financial affidavit to proceed *in forma pauperis* or pay the \$400 filing fee to commence this action. No party has filed an objection to this recommendation. After reviewing the Report and Recommendation, and relevant authorities, the Court finds the Magistrate Judge's findings are correct. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, **IT IS HEREBY ORDERED:**

1. The Report and Recommendation, **ECF No. 10**, is **ADOPTED** in its entirety.

2. This action is DISMISSED WITH PREJUDICE.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel and Magistrate Judge Rodgers, and to close this case.

DATED this 10th day of January 2017.

Salvador Mendoza Jr.
SALVADOR MENDEZA, JR.
United States District Judge